

672-2-.03 Conditions Attached to Issuance of Permits. Amended. In addition to compliance with any other conditions imposed on the issuance of a particular permit, any person receiving a permit from the Department thereby certifies that said person will comply or has complied (as applicable herein) with the following conditions governing the operation of permitted vehicles or loads. When intentional or due to gross negligence a violation of any of the following conditions is unlawful and punishable as a misdemeanor and may be considered as evidence supporting action to suspend or revoke or deny a permit;

(a) Federal and state laws and regulations. Said person will comply or has complied with the applicable laws and regulations of the United States and the State of Georgia, including but not limited to those of the Georgia Department of Revenue, Federal Motor Carrier Safety Administration, U.S. Interstate Commerce Commission, Georgia Department of Public Safety, and Title 32, Official Code of Georgia Annotated.

(b) A drivers signature signifies acknowledgement of understanding of all requirements listed on the permit. The signed permit must be in the cab of the vehicle transporting the load.

(c) Unless otherwise shown on the permit or further limited by specific rules hereinafter provided, said person will insure that the movement of a permitted vehicle or load will take place only on Monday through Saturday, from thirty (30) minutes after sunrise to thirty (30) minutes before sunset Eastern Standard Time or Eastern Daylight Savings Time, whichever is in effect for the period of the year during which the movement occurs. Permitted loads for weight up to 125,000 pounds without any dimensions exceeding legal limits, may have continuous movement, except that no permitted vehicle or load will be moved during foggy weather, or during snow or icy conditions, or during the following legal holidays: New Year's Day; Memorial Day; July 4th; Labor Day; Thanksgiving Day; and December 25th. Permitted loads in excess of twelve (12) feet wide shall not travel when visibility is less than six hundred (600) feet or when the ground wind exceeds twenty-five (25) miles per hour. When such conditions exist, the driver shall proceed to the first area where the load can be safely removed from the roadway.

(d) Route of Travel. Said person will not operate the permitted load or vehicle over any public road in the State other than those described or allowed on the permit or as allowed on the Department's Approved NHS Network. However, all permitted loads must comply with the load limitations posted at any bridge on any public road in the State. Single trip permit movements must follow the specific routing instructions listed on the permit. Unless there is a detour, then the load must comply with the routes identified for that detour.

(e) Persons/Companies obtaining permits are required to maintain the following liability coverage for the duration of the permit as required in Code Section 32-6-28(a)(9), O.C.G.A. For permitted loads whose GVW is less than or equal to 10,000 pounds: Bodily Injury Liability in the amount of \$50,000 limit for injury or death per person as a result of any one occurrence, Property Damage Liability in the amount of \$50,000 limit for damage to property of others in any one occurrence. Insurance requirements for Commercial Motor Carriers whose GVW is greater than or equal to 10,001 pounds shall maintain the following coverage \$1,000,000.00 minimum Property Damage to others in any one occurrence,

\$300,000.00 minimum for Bodily Injury for each person and \$1,000,000.00 Multiple Persons injured per occurrence. Prior to receiving a permit, the person/company receiving a permit shall furnish the Department a copy of their insurance certificate. Nothing contained herein shall be construed so as to make the Department liable for any damage to public roads or bridges or to persons or private property caused by a permitted load or vehicle, or its escort vehicle. The person/company receiving the permit thereby promises to hold the Department harmless for such claims and to recompense the Department or a political subdivision for any expenditures made by the Department or political subdivision to repair damage caused by the permitted vehicle or load to a public road of the State Highway System or of a county road system or of a municipal street system, as applicable.

(g) Leased vehicles. The operator of a leased vehicle must carry on their person written proof of the identity of the lessee. *Any owner/operator who the department has placed under suspension from ordering permits may not lease their vehicles to other companies with the purpose of transporting oversized loads in order to circumvent the suspension until the suspension period has expired, and all damages and claims have been paid to the State.*

(h) Single trip permit. Said person will not allow the single trip permit to be used other than for the movement by the particular vehicle which is indicated on the permit.

(i) Any person or company that receives an annual permit from the Department agrees not to allow the permit to be used by any vehicle which is not owned by such person or company. Code Section 32-6-28(a)(2), O.C.G.A., which provides that annual permits may be interchanged from vehicle to vehicle shall only apply between those vehicles that are owned by the same person, firm, or corporation. For the purposes of this provision, a vehicle leased to a person or company shall be considered as owned by the person or company leasing said vehicle; but the operator of the vehicle must show proof of the lease agreement before the permit can be considered as valid by the enforcement personnel. Code Section 32-6-28(a)(3), O.C.G.A., further provides that every such permit shall be carried in the vehicle or combination of vehicles to which it refers. This shall mean that a photostatic copy of the permit will not be acceptable. The purpose of this requirement is to prevent the use of a permit by more than one vehicle at the same time.

(j) In addition to complying with all applicable Federal and State Laws and regulations, the person/company receiving the permit shall also comply with applicable County and Municipal ordinances when traveling off the State Highway System.

(k) In addition, a person/company accepting a permit for the movement of a permitted load with a width in excess of fourteen feet eight (14'8") inches agrees that they have complied with the following conditions:

1. Movement will not be made on routes with bridges of less than 28' lateral clearance without a vehicle front escort.
2. During the movement of all permitted loads, it is required that all warning lights on the truck, transport vehicle, any required vehicle/police escorts, and unit shall be operating.

3. Movement will comply with all other laws, rules and regulations in reference to such moves.

(1) If a Superload plus permit becomes invalid, the overweight citation assessment shall be assessed at 125% as identified in O.C.G.A. 32-6-27(2) for all excess weight greater than 150,000 pounds, and the company/driver must obtain a new permit prior to travel.

Authority O.C.G.A. Secs. 32-2-2, 32-6-28, 32-6-90, 50-13-4. **History.** Original Rule entitled "Conditions Attached to Issuance of Permits" adopted. F. Aug. 9, 1973; eff. Aug. 29, 1973. **Amended:** ER. 672-2-0.2-.03 adopted. F. and eff. July 1, 1977, the date of adoption. **Amended:** Permanent Rule adopted. F. Aug. 10, 1977; eff. Aug. 30, 1977. **Amended:** F. Aug. 11, 1986; eff. Aug. 31, 1986. **Amended:** F. May 24, 1994; eff. June 13, 1994. **Amended:** F. July 23, 1996; eff. Aug. 12, 1996. **Amended:** F. June 2, 1998; eff. June 22, 1998. **Amended:** F. Aug. 23, 1999; eff. Sept. 12, 1999. **Amended:** F. Oct. 23, 2001; eff. Nov. 12, 2001. **Amended:** F. Oct. 19, 2011; eff. Nov. 8, 2011.